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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 JOHNNY MARQUEZ,

11 Petitioner,

12 vs.

13 DWIGHT NEVEN, et al,

14 Respondents.
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Case No. 3:20-cv-00073-RCJ-WGC

**ORDER FOR ENLARGEMENT
OF TIME TO FILE RESPONSE
TO §2254 PETITION (ECF NO. 20)**

(FIRST REQUEST)

17 Respondents move this Court for an enlargement of time of 60 days from the current due date of
18 June 25, 2021, up to and including August 25, 2021 in which to file their Response to Petitioner Johnny
19 Marquez's §2254 Petition (ECF No. 20). This Motion is made pursuant to Fed. R. Civ. P. 6(b) and Rule
20 6-1 of the Local Rules of Practice and is based upon the attached declaration of counsel. This is the first
21 enlargement of time sought by Respondents to file this response, and the request is brought in good faith
22 and not for the purpose of delay.

23 DATED: June 25, 2021.

24 Submitted by:

25 AARON D. FORD
26 Attorney General

27 By: /s/ Adam Solinger
28 Adam M. Solinger (Bar. No. 13963)
Deputy Attorney General

DECLARATION OF ADAM M. SOLINGER

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

I, ADAM M. SOLINGER, being first duly sworn under oath, depose and state as follows:

1. I am an attorney licensed to practice law in all courts within the State of Nevada, and I am employed as a Deputy Attorney General in the Office of the Nevada Attorney General. I am assigned to represent Respondents in *Johnny Marquez v. Dwight Neven, et al.*, Case No. 3:20-cv-00073-RCJ-WGC and as such, have personal knowledge of the matters contained herein.

2. This Motion is made in good faith and not for the purpose of delay.

3. The response to the petition is currently due June 25, 2021.

4. For new federal habeas cases, part of our process involves obtaining the records from the state district court. Throughout the COVID-19 pandemic, many state courts were operating with reduced staff or staff working remotely, resulting in delayed responses to our timely records requests. As things continue to return to standard business practices, obtaining the court records continues to take longer as staff returns to normal processes and the courts work through existing backlogs. Despite ordering the records after being served with the instant petition, my legal researcher just finished gathering the state court record last week. As a result, we need additional time to compile and redact the record before it can be filed in this Court.

5. In addition to the delay with the records, I have recently accepted a transfer to the criminal prosecutions division in our office. As a result, this case will be reassigned to another deputy attorney general who will finalize the index of records and the response to the petition. I am requesting this extension to allow that individual to have time to familiarize themselves with this case, and to complete any of their own existing deadlines in their current caseload.

6. I have emailed counsel for the petitioner, Jeremy Baron, and he has no objection to my request for 60 additional days.

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7. Based on the foregoing, I respectfully request an enlargement of time of 60 days, up to and including August 25, 2021, to file the response to the Petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this Friday, June 25, 2021.

/s/ Adam Solinger
Adam M. Solinger (Bar No. 13963)
Deputy Attorney General

ORDER

IT IS SO ORDERED.

ROBERT C. JONES
United States District Judge
Dated: June 25, 2021.